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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/587,867	06/06/2000	Scott Brunk	30278	8078

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EXAMINER	
NGUYEN, LE V	
ART UNIT	**PAPER NUMBER**
2174	14

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/587,867	BRUNK, SCOTT
	Examiner	Art Unit
	Le Nguyen	2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the RCE, filed 4/6/2004; an amendment was not included with the RCE

2. Claims 1-23 are pending in this application. Claims 1, 7, 11, 12, 19 and 23 are independent claims. This action is made non-final.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 1-2, 5-8 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chisholm et al. ("Chisholm", US 5,883,817) in view of screen dumps of Microsoft Word 2000 ("MS Word").

As per claims 1 and 2, Chisholm teaches a navigational device comprising:

a first input port for receiving a sensor signal from a sensor, the sensor signal being representative of a sensed condition (col. 4; lines 47-49; col. 6, lines 39-41);

a second input port for receiving a location signal, the location signal being representative of a location of the navigational device (col. 4, lines 9-11; col. 5, lines 27-29); and

a display screen including a first display area for displaying information corresponding to the sensed condition (fig. 6; col. 4, lines 47-50; col. 5, lines 54-61; col. 6, lines 30-43; col. 8, lines 41-46; col. 7, lines 25-31; *information corresponding to a sensed condition, from sensors such as 110, is: a) recorded within the virtual model wherein the virtual model is updated to*

represent the orientation of a structure, and b) displayed in window 608) and a second display area for displaying information corresponding to the location signal (*602/604 of* fig. 6; col. 6, lines 57-59).

Although Chisholm teaches a computing device coupled with the display screen wherein the screen is divided into several windows, each of which has its own boundaries and areas (fig. 6; *comprising of such areas as displayed at the top right/left hand areas of each of the plurality of windows*), Chisholm does not explicitly disclose the areas to be operable to permit a viewer to selectively adjust a size of the first and second display areas to change the relative portion of the display screen that is occupied by the first and second display areas to a number of different sizes. MS Word teaches sizing/resizing windows. Therefore, it would have been obvious to an artisan at the time of the invention to include the sizing/resizing windows feature to Chisholm's teaching of windows and their boundaries and areas in order to allow users to customize an area of focus.

As per claim 5, the modified Chisholm teaches a navigational device wherein the location signal includes a GPS signal (Chisholm: fig. 2; col. 5, lines 27-29).

As per claim 6, the modified Chisholm teaches a navigational device wherein the information corresponding to the location signal including a GPS map (fig. 6; col. 7, lines 2-6; *GPS map 604*).

Claim 7 is similar in scope to claim 1 and is therefore rejected under similar rationale.

Claims 8 and 12 are individually similar in scope to claim 2 and are therefore rejected under similar rationale.

Claim 11 is similar in scope to claim 1 and is therefore rejected under similar rationale.

Claim 13 is similar in scope to the combination of claims 2 and 8 and is therefore rejected under similar rationale.

5. Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chisholm et al. ("Chisholm", US 5,883,817) in view of screen dumps of Microsoft Word 2000 ("MS Word") as applied to claims 1 and 7, and further in view of Gudbjornsson (US 6,163,503).

As per claim 3, the modified Chisholm teaches a navigational device with various sensors (col. 3, lines 40-50) the sensed condition including depth of a body of water (Chisholm: col. 4, lines 47-50; col. 5, lines 27-31; col. 6, lines 39-41). Chisholm does not explicitly teach the sensors to be of the form of sonic transducers. Gudbjornsson teaches a navigational device wherein the sensor includes a sonic transducer. Therefore, it would have been obvious to an artisan at the time of the invention to include Gudbjornsson's teaching of sonic transducers to Chisholm's teaching of sensors in order to provide users with an implementation preference.

Claim 9 is similar in scope to claim 3 and is therefore rejected under similar rationale.

6. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chisholm et al. ("Chisholm", US 5,883,817) in view of screen dumps of Microsoft Word 2000 ("MS Word") and Gudbjornsson (US 6,163,503), and further in view of in view of Robinson et al. ("Robinson", US 6,381,538).

As per claim 4, the modified Chisholm teaches a device wherein a sensed condition includes depth of a body of water (Chisholm: col. 4, lines 47-50; col. 5, lines 27-31; col. 6, lines 39-41). Chisholm does not explicitly disclose the depth to be displayed. Robinson teaches a device wherein the sensed condition includes displaying the depth of a body of water (col. 16, lines 21-47). Therefore, it would have been obvious to an artisan at the time of the invention to

include the teachings of Robinson's method of displaying such information as depth of a body of water to Chisholm's device comprising a sensed condition that includes depth of a body of water in order to provide users with additional visual information.

Claim 10 is similar in scope to claim 4 and is rejected under similar rationale with the exception of the enlarged depth display feature, which Robinson teaches (figs. 6-8; col. 13, lines 1-2).

7. Claims 14-17 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chisholm et al. ("Chisholm", US 5,883,817) in view of Argiolas (US 5,956,032).

As per claims 14-16, although the modified Chisholm teaches a computing device coupled with the display screen wherein the screen is divided into several windows, each of which has its own boundaries and areas (fig. 6), Chisholm does not explicitly disclose each display area is constrained as to the relative portion of the display screen that it may occupy according to a left adjustment limit and a right adjustment limit. Argiolas teaches a computing device coupled with the display screen wherein the screen is divided into several windows, each of which has its own boundaries and areas and wherein each display area is constrained as to the relative portion of the display screen that it may occupy according to a left adjustment limit and a right adjustment limit (col. 4, lines 1-6). Therefore, it would have been obvious to an artisan at the time of the invention to include Argiolas' method of constraining the boundaries and areas of a window to include a left and right adjustment limit to the modified Chisholm's teaching of a display screen wherein the screen is divided into several windows, each of which has its own boundaries and areas in order to allow users greater control of the appearance of the window(s) and the area of focus on their screen.

Furthermore, the modified Chisholm teaches a computing device coupled with the display screen wherein the screen is divided into several windows, each of which has its own boundaries and areas wherein the first display area as well as the second display area may occupy between twenty-five and fifty percent of the display screen (Argiolas: col. 1, lines 47-53; col. 2, lines 25-54; *there would be an instance where this limitation, producing a display of 25%-50%, is met*).

As per claim 17, the modified Chisholm teaches a navigational device wherein the computing device is further operable to check input received from the viewer against the adjustment limits and generates an error signal when one of the adjustment limits has been exceeded (Argiolas: col. 2, lines 55-58).

Claim 19 is similar in scope to the combination of claims 3 and 15 and is therefore rejected under similar rationale, except for the limitation that a second display area is operable to occupy that portion of the display area not occupied by the first display area and display a GPS map corresponding to the GPS signal, which the modified Chisholm also teaches (Argiolas: col. 1, lines 47-53; col. 2, lines 25-54; Chisholm: fig. 2; col. 5, lines 27-29; fig. 6; col. 7, lines 2-6; *GPS map 604*).

As per claim 20, the modified Chisholm teaches a navigational device wherein the computing device being operable to permit the viewer to smoothly adjust the size of the first and second display areas to a number of different sizes (Argiolas: col. 1, lines 47-53).

Claim 21 is similar in scope to claim 17 and is therefore rejected under similar rationale.

Claim 22 is similar in scope to claim 18 and is therefore rejected under similar rationale.

8. Claims 18 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chisholm et al. ("Chisholm", US 5,883,817) in view of Argiolas (US 5,956,032).

As per claim 18, although the modified Chisholm teaches a computing device coupled with the display screen wherein the screen is divided into several windows, each of which has its own boundaries and areas, the navigational device being operable to permit the viewer to smoothly size/resize the display areas (Chisholm: fig. 6 *wherein sizing/resizing windows are well known in the art areas in order to allow users to customize an area of focus*), Chisholm does not explicitly disclose sizing/resizing each display area is only limited by the size and resolution of the display screen. Argiolas teaches a computing device coupled with the display screen wherein the screen is divided into several windows, each of which has its own boundaries and areas and areas, the computing device being operable to permit the viewer to smoothly size/resize the display areas wherein sizing and resizing each display area is only limited by the size and resolution of the display screen (col. 2, lines 29-30). Therefore, it would have been obvious to an artisan at the time of the invention to include Argiolas' method wherein sizing and resizing each display area is only limited by the size and resolution of the display screen to the modified Chisholm's teaching of a computing device being operable to permit the viewer to smoothly size/resize the display areas in order to allow users greater control of the appearance of the window(s) and the area of focus on their screen.

Claim 23 is similar in scope to the combination of claims 17 and 18 and is therefore rejected under similar rationale.

Response to Arguments

9. Applicant's arguments filed 4/6/04 have been fully considered but they are not persuasive.

Applicant's argument in a Request for Reconsideration has been fully considered but they are not persuasive.

The examiner has not established a *prima facie* case of obviousness that the prior art made of record does not support the desirability of the proposed modification, *i.e.* that one with ordinary skill in the art of navigational devices would not reasonably be expected to look to PCs to solve the problem of displaying more important information on a display screen.

In response to applicant's argument that the Examiner has not supported a prima facie case of obviousness and, specifically, that Chisholm does not supply the requisite motivation to resize windows, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). Chisholm teaches minimizing windows (fig. 6; e.g. Minimize button on the menu bar or title bar, upper left hand corner of every window) as well as scrolling (fig. 6; e.g. the up scroll arrows and down scroll arrows on the menu bar or title bar, upper right hand corner of every window) as a way of manipulating users' view of a window's content; and, resizing windows as an extension of manipulating users' view of a window's content, being as it is not only well known in the art but also well known to laymen (and as requested by Applicant, documents of ubiquitous Microsoft Word's windows has

been submitted in paper no. 7 as proof of the validity of the assertion that resizing windows is indeed well known), would have been obvious to include to an artisan at the time of the invention in order to allow users another method of customizing an area of focus.

Inquires

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê whose telephone number is **(703) 305-7601**. The examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned is as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN
Patent Examiner
May 17, 2004

Kristine Kincaid
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